

**WASHINGTON COUNTY COMMISSION**  
**MEETING MINUTES**  
**JUNE 21, 2011**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman Dennis Drake at 4:00 p.m. on June 21, 2011, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman Dennis Drake, Commissioner Alan D. Gardner, Commissioner James J. Eardley, Washington County Administrator Dean J. Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Christine Hall.

*The Spectrum* was not represented at the meeting.

Commissioner Eardley led the Pledge of Allegiance.

**AGENDA**

**CONSENT AGENDA:**

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for June 8, 2011, through June 21, 2011
- Consideration of Approval of Regular Commission Meeting Minutes of June 7, 2011
- Consideration of Applications for Property Tax Abatement:  
Lorene Plumb, S/N SC-SCH-N-3; and Bryan & Elaine Renstrom, S/N SG-WRR-5-39
- Consideration of Administrative Adjustments / Personal Property (attached)
- Consideration of Administrative Adjustments / Real Property (attached)
- Acknowledgment of Publishing: Ordinance No. 2011-1009-O, on Saturday, June 11, 2011

**Actions of the Washington County Planning Commission Meeting / 06-14-11**

**Conditional Use Permit Extension:** Review request to construct a motocross and ATV track within the OST-20 zone, containing 20 acres, a portion of Section 15, T39S, R16W, SLBM, generally located east of Highway 18 on North Baker Lake Road and 300 East in Central. Robert and Mary Houston, applicants, and Gary Simonson, agent

This is the second (2<sup>nd</sup>) annual review of a motocross and ATV track for personal and public use with several scheduled events each year. Previously, the Planning Commission determined that this zone was similar and compatible with surrounding land use and made findings that the use is consistent or similar with the characteristics and purposes stated for the zone. The proposed use requested is similar to gravel pits, trail uses and private recreation grounds and facilities allowed conditionally within the OST-20 zone. The commission addressed concerns about noise and dust pollution, parking, ingress and egress for safe travel, hours of operation, water and sanitary facilities, and emergency services available. The building official did a final site inspection of this track a month ago, observing that fencing is in place, and waters trucks and sanitary facilities are available.

The applicant indicated that he would eventually want to build some type of building for concessions and restrooms on the premises. Currently porta-potties are used when events are held, and one remains on site permanently, which is pumped regularly. In a couple of weeks they will hold a charity event for a girl who needs a heart. The Planning Commission unanimously recommended approval of the Conditional Use Permit granting permanent status.

**MOTION: Motion by Commissioner Gardner to Approve the Consent Agenda. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.**

#### **REGULAR AGENDA ITEMS FOR CONSIDERATION:**

#### **EMERGENCY SERVICES REPORT / SHERIFF'S OFFICE**

Washington County Sheriff Cory Pulsipher reported that there have been five (5) Search and Rescue (SAR) call-outs in the last thirty (30) days. Thirty-seven (37) SAR members responded, with a total of forty-four (44) man hours donated.

#### **PURCHASE REQUESTS / MARK BLANCH: ROAD DEPARTMENT, SHERIFF'S OFFICE**

Road Department, asphalt for chip seal .....	\$37,198.26
Sheriff's Office, ballistic vests .....	\$10,920.00

Rocky Mountain Power has paid fifty-one thousand dollars (\$51,000.00) in advance for a portion of the asphalt purchase.

*All purchases are budgeted, bonded, or paid for through grant funds.*

**MOTION: Motion by Commissioner Eardley to Approve the Purchase Requests. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.**

**PRESENTATION OF NATIONAL ASSOCIATION OF COUNTIES (NACo) SCHOLARSHIPS TO LOCAL STUDENTS**

Commissioner Gardner said that the National Association of Counties (NACo), in conjunction with Siemens Corporation, awarded Washington County five thousand dollars (\$5,000) last year for winning the County Courthouse Award. Washington County was chosen as the recipient for the valuable work done by the Commissioners in the Vision Dixie effort. The County has donated this money to fund college scholarships of one thousand dollars (\$1,000) each for five (5) local youth:

Cade Robertson, Desert Hills High School  
Jayme Pickett, Dixie High School  
Alisha Casey, Enterprise High School  
Ashley Hughes, Pine View High School  
Amanda Pollei, Snow Canyon High School

All recipients were present to receive their scholarships, and they expressed appreciation to the Commission and to NACo for this generous financial assistance.

**PRESENTATION OF DIXIE JUNIOR LIVESTOCK SHOW WINNERS**

Commissioner Gardner introduced Richard Holm, who has been heavily involved with the Dixie Junior Livestock Show in recent years. Mr. Holm said that participation in the show has increased every year, with approximately three hundred and fifty (350) registrants this year. Awards were presented as follows:

	<b><u>Exhibitor</u></b>	<b><u>Price</u></b>	<b><u>Buyer</u></b>
Grand Champion Steer	Jace Hughes	\$2,700	Lin's Market
Reserve Grand Champion Steer	Chastin Thompson	\$2,700	AJ Construction & Holbrook Asphalt
Grand Champion Hog	Tanner Ence	\$1,300	Lin's Market
Reserve Grand Champion Hog	Mitch Wade	\$1,200	Washington Co. Commissioners
Grand Champion Lamb	Jaid Hulet	\$ 700	Lin's Market
Reserve Grand Champion Lamb	Bailey Gust	\$1,400	Jenson & Bayles

Commissioner Gardner acknowledged the valued support of all who participated in this event, particularly Lin's Market, who purchased all three champion animals.

**PRESENTATION: RECREATIONAL OPPORTUNITIES AT SNOW CANYON STATE PARK / KRISTIN COMELLA**

Kristin Comella, Snow Park State Park Manager, narrated a PowerPoint presentation describing the myriad recreational opportunities for visitors to the Park. A copy of that slide show may be obtained through the office of the Washington County Commission.

**RECOGNITION OF DIVIDEND CHECK FROM WORKERS COMPENSATION FUND IN THE AMOUNT OF \$9,562.22 FOR FY 2010**

Chairman Drake reported that Washington County has received a dividend check from the Workers Compensation Fund in the amount of nine thousand, five hundred and sixty-two dollars and twenty-two cents (\$9,562.22) because the County's employees have reduced accidents and injuries. Employees are commended for making safety a priority and earning this dividend.

**CONSIDERATION OF ORDINANCE NO. 2011-1010-O, AN ORDINANCE AMENDING AND SUPERSEDING WASHINGTON COUNTY CODE TITLE 1 (ADMINISTRATION), CHAPTER 12 (PROCUREMENT OF SUPPLIES), SECTION 12 (RULES AND GUIDELINES FOR COMPETITIVE SEALED PROPOSALS)**

Deputy Washington County Attorney Eric Clarke explained that this Ordinance is necessary in order to be in compliance with the Utah State Code to include language on bid proposals for emergency projects.

**MOTION:** Motion by Commissioner Gardner to Adopt Ordinance No. 2011-1010-O, An Ordinance Amending And Superseding Washington County Code Title 1 (Administration), Chapter 12 (Procurement Of Supplies), Section 12 (Rules And Guidelines For Competitive Sealed Proposals). Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2011-1570, A RESOLUTION APPROVING THE EXECUTION OF AN AMENDMENT TO THE PERIMETER SECURITY AND BAILIFF SERVICES CONTRACT BETWEEN THE STATE OF UTAH AND WASHINGTON COUNTY FOR FISCAL YEAR 2012**

This is the renewal of an existing contract whereby Washington County provides security and bailiff services to the Fifth District Court in St. George.

**MOTION: Motion by Commissioner Eardley to Adopt Resolution No. R-2011-1570, A Resolution Approving The Execution Of An Amendment To The Perimeter Security And Bailiff Services Contract Between The State Of Utah And Washington County For Fiscal Year 2012. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2011-1572, A RESOLUTION APPROVING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE STATE OF UTAH DEPARTMENT OF ADMINISTRATIVE SERVICES, DIVISION OF FACILITIES CONSTRUCTION AND MANAGEMENT, AND WASHINGTON COUNTY FOR THE COURTHOUSE PLAZA BUILDING**

Administrator Dean Cox said that the State of Utah has wanted to develop a suitable rental space in the Courthouse Plaza Building, which is no longer occupied by the County Attorney's Office. There is to be a change in the original lease agreement, in which tenant improvement costs would be paid in a flat fee; the new terms state that if the final tenant improvements are less than the stated cost, the difference would be applied to the rent. If the costs end up being more, the State will reimburse the County within thirty (30) days. The lease will generate revenue for the County in excess of one hundred and eighty thousand dollars (\$180,000) per year, and the tenant has agreed to prepay all tenant improvement costs.

**MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2011-1572, A Resolution Approving The Execution Of A Lease Agreement Between The State Of Utah Department Of Administrative Services, Division Of Facilities Construction And Management, And Washington County For The Courthouse Plaza Building. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2011-1573, A RESOLUTION APPROVING THE EXECUTION OF A COOPERATIVE FOREST ROAD AGREEMENT BETWEEN THE USDA FOREST SERVICE AND WASHINGTON COUNTY**

Chairman Drake said that there is some language in this agreement that the Commission would like to have clarified.

**MOTION: Motion by Commissioner Eardley to Table Resolution No. R-2011-1573, A Resolution Approving The Execution Of A Cooperative Forest Road Agreement Between The USDA Forest Service And Washington County Pending Further Discussion and Review. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2011-1574, A RESOLUTION APPROVING A SERVICE AGREEMENT BETWEEN VERACITY NETWORKS AND WASHINGTON COUNTY TO PROVIDE PHONE SERVICE TO THE COUNTY OFFICES**

Mr. Clarke said that this contract provides phone service for the Administration and Boulevard Buildings. The term of the contract is changed from three years to one year, with a renewal option by the County, and the price has been reduced.

**MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2011-1574, A Resolution Approving A Service Agreement Between Veracity Networks And Washington County To Provide Phone Service To The County Offices. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.**

**COMMISSIONERS' REPORT**

Commissioner Gardner reported that a news release from the U.S. Fish & Wildlife Service announced that a petition seeking to protect the Utah population of the Gila monster under the Endangered Species Act (ESA) does not contain substantial scientific information to indicate that the petitioned action may be warranted because the population does not constitute a distinct population segment (DPS).

Two (2) years ago, Secretary of the Interior Ken Salazar initiated an Environmental Impact Statement (EIS) to examine uranium mining on the Arizona Strip and determine whether it has impacted the Grand Canyon watershed. Yesterday, the EIS period was extended another six (6) months. So far, the EIS has shown that there is no impact on the watershed.

The Arizona Strip contains over one-third of all uranium in the United States, and it is a higher grade than anywhere else. The mines themselves are nearly impossible to detect from the surface, and some estimates are that they have the potential for twenty-nine billion dollars (\$29,000,000,000) of economic impact on Washington County alone, and substantial financial impact on several adjacent counties.

### **PUBLIC WORKS AND ROAD BUSINESS**

Public Works Director Ron Whitehead said that his office just received notice from the Arizona and Utah Bureaus of Land Management (BLM), Dixie National Forest, the Bureau of Indian Affairs, National Park Service, and Forestry, Fire and State Lands, that fire restrictions have been implemented countywide and in the Arizona Strip. Interagency fire managers have issued restrictions for fire on all public lands and unincorporated state and private land. Specifically, the discharge of fireworks is prohibited because of the unusually high fire danger this season. These restrictions take effect Friday, June 24, 2011.

### **COUNTY DEVELOPMENT AND PLANNING BUSINESS**

#### ***Request a Closed Session***

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:52 p.m.

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CHRISTINE S. HALL  
DEPUTY CLERK

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DENNIS DRAKE  
CHAIRMAN